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7 BILL NO. G-76-01-//

8 GENERAL ORDINANCE NO. G- *84-76*.

9 AN ORDINANCE ADOPTING A REVISION AND
10 CODIFICATION OF THE ORDINANCES OF THE CITY OF
11 FORT WAYNE, INDIANA, ENTITLED "THE CODE
12 OF THE CITY OF FORT WAYNE, INDIANA OF 1974,"
PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES
NOT INCLUDED THEREIN, WITH CERTAIN EXCEPTIONS,
AND FOR OTHER PURPOSES HEREINAFTER SET OUT.

13 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE
14
15 INDIANA:

16 SECTION 1. There is hereby adopted by the Common Council of
17 the City of Fort Wayne that certain Code entitled "The Code of the City of Fort
18 Wayne, Indiana of 1974," containing certain ordinances of a general and permanent
19 nature as compiled, consolidated, codified and indexed in Chapters 1 to 33, both
20 inclusive, of which Code not less than three (3) copies have been and are now
21 filed in the office of the City Clerk.

22 SECTION 2. The provisions of such Code shall be in force on and
23 after February 20th, 1976, and all ordinances of a general and permanent nature
24 adopted on final reading and passage on or before July 30, 1974, and not contained
25 in such Code are hereby repealed from and after February 20th 1976, except
26 as hereinafter provided.

27 SECTION 3. The repeal provided for in the preceding section of
28 this ordinance shall not affect any offense or act committed or done or any penalty
29 or forfeiture incurred or any contract or right established or accruing before
30 February 20, 1976; nor shall it affect any prosecution, suit or proceeding pending
31 or any judgment rendered prior to February 20, 1976; nor shall such repeal
32 affect any ordinance or resolution promising or guaranteeing the payment
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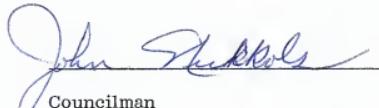
5 of money for the City or authorizing the issue of any bonds of the City or any
6 evidence of the City's indebtedness or any contract or obligation assumed by
7 the City; nor shall it affect any annual tax levey; nor shall it affect any right
8 or franchise conferred by ordinance or resolution of the City on any person or
9 corporation; nor shall it affect any ordinance adopted for purposes which have
10 been consummated; nor shall it affect any ordinance which is temporary, although
11 general in effect, or special, although permanent in effect; nor shall it affect
12 any ordinance annexing territory to the City; nor shall it affect any ordinance
13 naming, renaming, opening, accepting or vacating streets or alleys in the City;
14 nor shall it affect any ordinance relating to the zoning map; nor shall it affect
15 any ordinance adopted on final reading and passage after July 30, 1974; nor
16 shall it affect any of the following ordinance or amendments thereto; All ordinances
17 establishing schedules referred to in Chapter 17 of this Code.
18

19 SECTION 4. Whenever in the Code adopted by this ordinance or
20 in any other ordinance or resolution of the City or in any rule, regulation or
21 order promulgated by any officer or agency of the City under authority duly
22 vested in him or if any act is prohibited or is made or declared to be unlawful
23 or an offense or a misdemeanor, or the doing of any act is required or the failure
24 to do any act is declared to be unlawful or an offense or a misdemeanor, where
25 no specific penalty is provided therefor, the violation of any such provision of such Code
26 or any other ordinance or resolution of the City or such rule, regulation or order
27 shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00)
28 or imprisonment for a term not exceeding six (6) months, or by both such fine
29 and imprisonment.

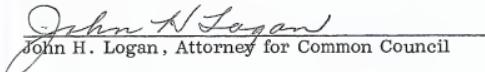
30 Except where otherwise provided, every day any violation of such
31 Code or any other ordinance or resolution of the City or such rule, regulation
32 or order shall continue shall constitute a separate offense.
33
34
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7 SECTION 5. It is hereby declared to be the intention of the Common
8 Council of the City of Fort Wayne, Indiana that the sections, paragraphs, sentences,
9 clauses and phrases of this ordinance and the Code hereby adopted are severable,
10 and if any phrase, clause, sentence, paragraph or section of this ordinance
11 or the Code hereby adopted shall be declared unconstitutional or otherwise invalid
12 by the valid judgment or decree of a court of competent jurisdiction, such
13 unconstitutionality or invalidity shall not affect any of the remaining phrases,
14 clauses, sentences, paragraphs and sections of this ordinance or the Code hereby
15 adopted.
16

17 SECTION 6. After its passage, approval by the Mayor and legal
18 publication thereof this ordinance shall be in full force and effect on February
19 20, 1976.

20
21 
22 Councilman
23

24 Approved as to form and legality
25 this 13th day of January, 1976.

26 
John H. Logan, Attorney for Common Council
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'Read the first time in full and in motion by Huckles, seconded by Tolman, and duly adopted; read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 1-27-76

Charles W. Tolman
CITY CLERK

Read the third time in full and on motion by Huckles, seconded by Hinga, and duly adopted, placed on its passage.
Passed (TOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
<u>TOTAL VOTES</u>	<input checked="" type="checkbox"/> 8	<input type="checkbox"/> 0		<input type="checkbox"/> 1	
<u>BURNS</u>	<input checked="" type="checkbox"/>				
<u>HINGA</u>	<input checked="" type="checkbox"/>				
<u>HUNTER</u>	<input checked="" type="checkbox"/>				
<u>MOSES</u>	<input checked="" type="checkbox"/>				
<u>NUCKOLS</u>	<input checked="" type="checkbox"/>				
<u>SCHMIDT, D.</u>	<input checked="" type="checkbox"/>				
<u>SCHMIDT, V.</u>				<input checked="" type="checkbox"/>	
<u>STIER</u>	<input checked="" type="checkbox"/>				
<u>TALARICO</u>	<input checked="" type="checkbox"/>				

DATE: 1-27-76

Charles W. Tolman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 9-04-76 on the 27th day of January, 1976.

ATTEST: (SEAL)

Charles W. Tolman
CITY CLERK

James S. Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of January, 1976, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Tolman
CITY CLERK

Approved and signed by me this 28th day of January, 1976, at the hour of 4:30 o'clock P.M., E.S.T.

Robert B. Armstrong
MAYOR

Bill No. G-76-01-11

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance adopting a revision and codification of the ordinances of the City of Fort Wayne, Indiana, entitled "The Code of the City of Fort Wayne, Indiana of 1974," providing for the repeal of certain exceptions, and for other purposes hereinafter set out

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

John Nuckols
Paul M. Burns

Vivian G. Schmidt
Winfield C. Moses, Jr.
DJ Schmidt

1-27-76 CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

DIGEST SHEET

10-26-01-11.

TITLE OF ORDINANCE GENERAL CITY CLERK
DEPARTMENT REQUESTING ORDINANCE Xxxxxxxxxxxxxxxxxxxxxxx

SYNOPSIS OF ORDINANCE An Ordinance adopting a revision and codification of the ordinances of the City of Fort Wayne, Indiana, entitled "The Code of the City of Fort Wayne, Indiana of 1974" providing for the repeal of certain ordinances not included therein, with certain exceptions and for other purposes

EFFECT OF PASSAGE New Code will be adopted

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (Direct Costs, Expenditures, Savings) N/A

ASSIGNED TO COMMITTEE

Regulations etc.



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

January 29, 1976

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of February 2 and 9, 1976, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. G-76-01-11
General Ordinance No. G-04-76
Codification of Ordinances

Bill No. G-75-12-19
(AS AMENDED)
General Ordinance No. G-03-76
Traffic Signals

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 2

Form Prescribed by State Board of Accounts

Fort Wayne Common Council

(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head	number of lines	1
Body	number of lines	179
Tail	number of lines	2
Total number of lines in notice		<u>182</u>

COMPUTATION OF CHARGES

..... 182 lines, 1 columns wide equals 182 equivalent lines at .288¢ per line \$ 52.42

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 53.92

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5½ point

Number of insertions 2 Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V.E. Gerken

Date February 9, 1976

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } as:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL

DAILY newspaper of general circulation printed and published in the English language in the city FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

2/29/76

Subscribed and sworn to before me this 9th day of February 1976

H. J. O. [Signature]
Notary Public

My commission expires September 28, 1979



of any act or omission or that the law or do any act is declared to be unlawful or any prosecution, suit or proceeding pending or any judgment rendered prior to or February 20, 1976; nor shall such repeat affect any ordinance or resolution or any judgment or award the payment of money by the City or the seal of the City of Fort Wayne, Indiana, this 28th day of January, 1976.
CHARLES W. WESTERMAN
CITY CLERK

LEGAL NOTICE

Notice is hereby given that on the 27th day of January, 1976, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Ordinance No. G-04-76 General Ordinance, to-wit:

BILL NO. G-04-11

GEN. ORDINANCE NO. G-04-76

AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES AND RESOLUTIONS OF THE CITY OF FORT WAYNE, INDIANA, ENTITLED "THE CODE OF THE CITY OF FORT WAYNE, INDIANA, OF 1976," PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, AND FOR CERTAIN EXCEPTIONS, AND FOR OTHER PURPOSES HEREINAFTER SET OUT.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. This is hereby adopted by the Common Council of the City of Fort Wayne, Indiana, Codified "The Code of the City of Fort Wayne, Indiana of 1976," containing certain ordinances of a general and permanent nature at common convenience filed and indexed in Chapters 1 to 33, an official publication, hereinafter referred to as "the Code," or in a misdemeanor, where no specific offense is provided, shall be punished by the violation of any such provision of such Code or any other ordinance or resolution of the City or any rule, regulation or order shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00) or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

Excessive fines, penalties, or forfeitures for every day any violation of such Code or any other ordinance or resolution of the City or any rule, regulation or order shall continue shall constitute a separate offense.

SECTION 2. It is hereby declared to be the intention of the Common Council of the City of Fort Wayne, Indiana, that the new Code, its provisions, clauses and phrases of this ordinance and the Code hereby adopted are severable from each other, so that if any section or vacating streets or alleys in the City; nor shall it affect any ordinance relating thereto, or any other ordinance or resolution adopted on final reading and passage after July 30, 1976, nor shall it affect any other ordinance or resolution or amendment thereto. All ordinances establishing schedules referred to in Chapter 17 of this Code,

SECTION 3. Wherever the Code adopts, repeals, amends or rescinds or any other ordinance or resolution of the City or in any rule, regulation or order promulgated by the Common Council of the City under authority duly vested in him or if any act is prohibited or is made or declared illegal, unless any offense or a misdemeanor or the doing of any act is required or the failure to do any act is declared to be unlawful or any other act is set forth or pending or any judgment rendered prior to February 20, 1976, nor shall such regulation or resolution or any provision promising or guaranteeing the payment of money for the City or authorizing the payment of money for the City or any evidence of the City's indebtedness or any contract or obligation of the City, nor shall it affect any annual tax levies, nor shall it affect any right of franchise concerning the use or occupancy of the City on any person or corporation; nor shall it affect any ordinance adopted prior to February 20, 1976, except as summarized; nor shall it affect any ordinance which is temporary, although general, or which is intended to be permanent in effect, nor shall it affect any ordinance annexing territory to the City, or any ordinance creating or both inclusive, of which copies not less than three (3) copies have been and

are now filed in the office of the City Clerk.

SECTION 4. The provisions of this Code shall be in force on and after February 20th, 1976, and all ordinances of a general and permanent nature adopted on final reading and passage after July 30, 1974, and not contained in such Code are hereby repealed from and after the date of this Act, 1976, except as hereinabove provided.

SECTION 5. The repeal provided for in the preceding section of this ordinance shall not affect any offense or act committed or done or any penalty or fine imposed or imposed or accrued before February 20, 1976, nor shall it affect any offense or act committed or done, sentence, punishment, or section of this ordinance or the Code hereby adopted shall be deemed invalid or unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, nor shall any provision of this ordinance shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections, or parts of this ordinance or the Code hereby adopted.

SECTION 6. After its passage, approval and filing, the Mayor and legal publication thereof shall commence in full force and effect on February 20, 1976.

JOHN DEWEY NUCKOLS
Councilman
Read the third time in full and no motion by Nuckles, seconded by Hines, and duly adopted, placed on its passage by the following vote:

Ayes: Eight
Burns, Hings, Hunter, Moses, Nuckles, D. Schaefer, Talarico
Nays: None
Absent: One
V. Schmidt Date: 1-27-76 Charles W. Westerman
Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, an General Ordinance No. G-04-76 on the 27th day of January, 1976.

Charles W. Westerman James S. Stier
City Clerk, Notary Public
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of January, 1976, at the hour of 10:00 o'clock A.M. E.S.T.

Charles W. Westerman
City Clerk
Approved and signed by me this 28th day of January, 1976, at the hour of 4:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a true and complete copy of General Ordinance No. G-04-76, passed by the Common Council on the 27th day of January, 1976, and that said ordinance was duly filed in my office by the Mayor on the 28th day of January, 1976, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of January, 1976.

CHARLES W. WESTERMAN
CITY CLERK

State Board of Accounts

on Council
nmental Unit)

County, Ind.

General Form No. 99 P (Rev. 1967)

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

letter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
number of equivalent lines

number of lines

1

number of lines

179

number of lines

2

total number of lines in notice

182

RATES

yes, 1 columns wide equals 182 equivalent lines at .28¢
its per line

\$ 52.42

charge for notices containing rule or tabular work (50 per cent of above)

extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

53.92

G COST

single column 11 ems

Size of type 5½ point

insertions 2

Size of quad upon which type is cast 5½

on and penalties of Ch. 89, Acts 1967.

The foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

, 19 76

Title CLERK

PUBLISHER'S AFFIDAVITState of Indiana } ss:
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

2/2-9/76

Subscribed and sworn to before me this 9th day of February 1976

Harry O. Notary Public

My commission expires September 28, 1979



Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Number of insertions 2 Size of quad upon which type is cast 5½

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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date February 9, 1976

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } as:

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2/2-9/76

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Notary Public

My commission expires September 28, 1979

